

City Council Introduction: **Monday**, July 11, 2005
Public Hearing: **Monday**, July 18, 2005, at **1:30 p.m.**

Bill No. 05-90

FACTSHEET

TITLE: Declaration of Surplus Property, requested by the Director of the Urban Development Department, to declare approximately 23,584 sq. ft., or 0.54 acre, more or less, located at 601 North 27th Street, as surplus.

STAFF RECOMMENDATION: A finding of conformance with the Comprehensive Plan.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 06/22/05
Administrative Action: 06/22/05

RECOMMENDATION: A finding of conformance with the Comprehensive Plan (8-1: Carlson, Carroll, Esseks, Krieser, Larson, Pearson, Bills-Strand and Sunderman voting 'yes'; Taylor dissenting).

FINDINGS OF FACT:

1. The City acquired this property in October, 1999, with the intent to demolish the existing structure, construct a parking lot and landscaping, and then sell the property to the adjacent property owners. The City has completed this work, and seeks this declaration of surplus property in order to transfer the property to the new owners.
2. The staff recommendation to find the proposed declaration of surplus property to be in conformance with the Comprehensive Plan is based upon the "Analysis" as set forth on p.3, provided an easement is retained for public facilities.
3. On June 22, 2005, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
4. On June 22, 2005, the majority of the Planning Commission agreed with the staff recommendation and voted 8-1 to find the proposed declaration of surplus property to be in conformance with the Comprehensive Plan (Taylor dissenting).

FACTSHEET PREPARED BY: Jean L. Walker

DATE: July 5, 2005

REVIEWED BY: _____

DATE: July 5, 2005

REFERENCE NUMBER: FS\CC\2005\CPC.05001

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for June 22, 2005 PLANNING COMMISSION MEETING

P.A.S.: Comprehensive Plan Conformance #05001
Surplus Property

PROPOSAL: Declare as surplus property that has been acquired by the City and improved with a parking lot.

LOCATION: 601 North 27th Street

LAND AREA: 23,584 square feet, or 0.54 acre, more or less.

CONCLUSION: This request conforms to the Comprehensive Plan provided an easement is retained for public facilities.

<u>RECOMMENDATION:</u>	Conformance with the Comprehensive Plan
-------------------------------	---

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot B, S1/2 Lot C, Hawleys Addition, located in the SE1/4 of Section 24 T10N R6E, Lancaster County, Nebraska.

EXISTING LAND USE AND ZONING: Strip commercial B-3 Commercial

SURROUNDING LAND USE AND ZONING:

North:	Commercial	B-3 Commercial
South:	Commercial	B-3 Commercial
East:	Commercial	B-3 Commercial
West:	Single- and Multiple-family dwellings	R-6 Residential

HISTORY:

Feb 2001 Change of Zone #3296 changed the zoning on a portion of this property from R-6 Residential to B-3 Commercial.

May 1979 The zoning update changed the zoning on this property from I Commercial and D Multiple-Dwelling to B-3 Commercial and R-6 Residential.

Jun 1884 Hawley's Addition filed with Register of Deeds.

COMPREHENSIVE PLAN SPECIFICATIONS: The 2025 Future Land Use Plan shows this area as Commercial. (F 25)

The **North 27th Street Corridor Plan** identifies this property for commercial use.

The **North 27th Street Corridor and Environs Redevelopment Plan** identifies this project as a key commercial redevelopment opportunity.

TRAFFIC ANALYSIS: North 27th Street is identified as a minor arterial, both now and in the future. (E 49, F 103) Minor Arterials serve trips of moderate length and are characterized by moderate to heavy traffic volumes. (F 103)

ANALYSIS:

1. This is a request to declare property located approximately at 601 North 27th Street as surplus.
2. The City acquired this property in October, 1999, with the intent to demolish the existing structure, construct a parking lot and landscaping, and sell to the adjacent property owners. The City has completed this work, and seeks this declaration of surplus property in order to transfer the property to the new owners.
3. The City may buy and sell property identified in a redevelopment agreement to other parties in the agreement without requesting the property be declared surplus. In this case however, the redevelopment agreement covers property adjacent to the south, not this parcel, and the buyer to the north is not involved in the redevelopment agreement; this owner is merely a beneficiary of the project
4. The Law Department concluded a surplus property action is the most appropriate method to secure the necessary authority to transfer this property to both buyers.
5. The property owner to the north will acquire 1/3 of this property, while the property owner to the south will acquire 2/3 of this property. The property when sold will be restricted to parking lot use for the next fifteen years.
6. The Public Works Department has identified a sanitary sewer line along the west property line. An easement will be required for this facility.

CONDITIONS:

Prior to the transfer of title to this property:

1. The City shall retain a public utility easement to the satisfaction of the Public Works and Utilities Department.

Prepared by

Greg Czaplewski
441.7620, gczaplewski@ci.lincoln.ne.us

Date: June 8, 2005

Applicant: Marc Wullschleger, Director
and Urban Development Department
Owner: 808 "P" Street, Suite 400
Lincoln, NE 68508
441.7126

Contact: Wynn Hjermstad, Community Development Manager
Urban Development Department
808 "P" Street, Suite 400
Lincoln, NE 68508
441.8211

COMPREHENSIVE PLAN CONFORMANCE NO. 05001

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

June 22, 2005

Members present: Carlson, Carroll, Esseks, Krieser, Larson, Pearson, Bills-Strand, Sunderman and Taylor.

The Consent Agenda consisted of the following items: **PRE-EXISTING SPECIAL PERMIT NO. 31A; PRE-EXISTING SPECIAL PERMIT NO. 32A; SPECIAL PERMIT NO. 05027; SPECIAL PERMIT NO. 05028; SPECIAL PERMIT NO. 05029; SPECIAL PERMIT NO. 05030; and COMPREHENSIVE PLAN CONFORMANCE NO. 05001.**

Item No. 1.3, Special Permit No. 05027, and Item No. 1.6, Special Permit No. 05030, were removed from the Consent Agenda and scheduled for separate public hearing.

Ex Parte Communications: None.

Carlson moved to approve the remaining Consent Agenda, seconded by Carroll and carried 8-1: Carlson, Carroll, Esseks, Krieser, Larson, Pearson, Bills-Strand and Sunderman voting 'yes'; Taylor dissenting.

Note: This is final action on Pre-Existing Special Permit No. 31A, Pre-Existing Special Permit No. 32A, Special Permit No. 05028 and Special Permit No. 05029, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by the Planning Commission.



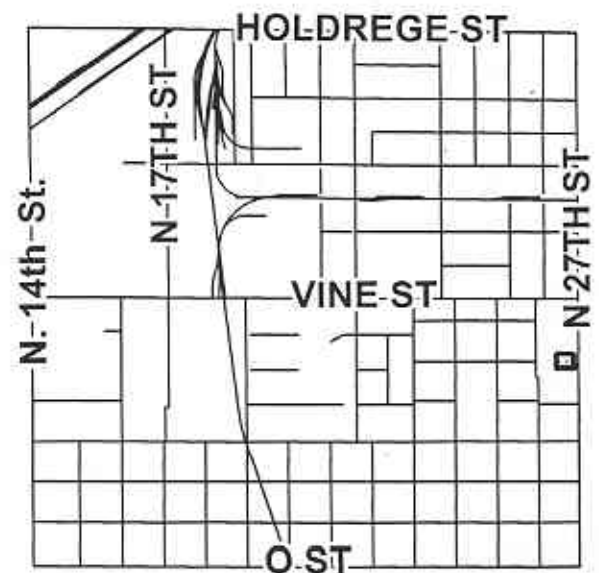
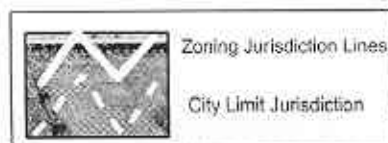
2002 aerial

Comp. Plan Conformance #05001 601. N. 27th

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 24 T10N R6E



006

Memo

To: Department Directors
From: Marc Wullschleger *Marc*
Date: December 14, 2004
Subject: Former Midas Property, 601 N. 27th Street

The Urban Development Department is requesting the former Midas site at 601 N. 27th Street, legally described as Lot B and the South 1/2 of Lot C, Hawley's Addition be declared surplus. The acquisition and redevelopment of the site for parking is identified in the North 27th Street Corridor and Environs Redevelopment Plan under the Commercial Activities section of the plan.

The City bought the property in October of 1999, with the intent to demolish the existing structure, construct a parking lot with landscaping, and sell to the adjacent property owners. The property owner to the north will acquire 1/3 of the property, while the property owner to the south will acquire 2/3 of the property. The property when sold will be restricted to parking lot use for the next fifteen years. A copy of the request and map of the area is attached for your information.

Please call me at 1-7126 if you have any questions.

